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Attorneys for Defendant

9  
10 IN THE UNITED STATES DISTRICT COURT  
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 LEONARDO N. DUQUE,

13 Plaintiff,

14 v.

15 JO ANNE B. BARNHART,  
16 Commissioner of  
Social Security,

17 Defendant.  
18

CASE NO. **2:05-CV-00183-KJM**

STIPULATION AND ORDER  
SETTLING ATTORNEY'S FEES  
PURSUANT TO THE EQUAL  
ACCESS TO JUSTICE ACT  
(EAJA)

19 It is stipulated by the parties through their undersigned  
20 counsel, with the Court's approval, that counsel for Plaintiff be  
21 awarded attorney's fees under the Equal Access to Justice Act (EAJA)  
22 in the amount of FOUR THOUSAND FIVE HUNDRED AND 00/100 DOLLARS  
23 (\$4,500.00), for compensation for legal services rendered on  
24 Plaintiff's behalf, pursuant to 28 U.S.C. § 2412(d), thereby  
25 constituting a compromise settlement for all fees under the EAJA in  
26 this action, but not constituting any admission of Defendant's  
27

liability under the EAJA in this action.

Payment of the amount specified above shall constitute a complete release from and bar to any and all claims of Plaintiff's counsel relating to EAJA fees in connection with this action, without prejudice to any future request for fees under the Social Security Act, 42 U.S.C. § 406(b).

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DATE: November 22, 2006

**/s/ James O. Keefer (as authorized on  
November 22, 2006)**

JAMES O. KEEFER

Attorney at Law

Attorney for Plaintiff

DATE: November 30, 2006

McGREGOR W. SCOTT

United States Attorney

BOBBIE J. MONTOYA

Assistant U.S. Attorney

By: **/s/ Bobbie J. Montoya for**

SARAH L. RYAN

Special Assistant U.S. Attorney

Attorneys for Defendant

OF COUNSEL:

LUCILLE GONZALES MEIS

CHIEF COUNSEL, REGION IX

UNITED STATES SOCIAL SECURITY ADMINISTRATION

ORDER

Counsel for Plaintiff is hereby awarded attorney's fees pursuant to the Equal Access to Justice Act in the amount of \$4,500.00, pursuant to the stipulation of the parties.

APPROVED AND SO ORDERED.

DATED: December 1, 2006.

  
U.S. MAGISTRATE JUDGE